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AO 106 (Rev. 04/10) Application for a Search Warrant

JAN 13 2014

## UNITED STATES DISTRICT COURT

for the

Western District of Washington

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY  
BY

## In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)

US Mail Parcel, bearing confirmation number

EI 451940710 US

Case No.

MS14-12

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

US Mail Parcel, bearing confirmation number EI 451940710 US as more fully described in Attachment A.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

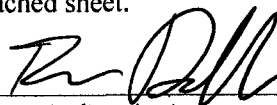
The search is related to a violation of:

Code Section	Offense Description
Title 21, U.S.C. § 841	Distribution of Controlled Substances & Unlawful Use of a Communications
Title 21, U.S.C. § 843	Facility, (U.S. Mails) to Distribute Controlled Substances.

The application is based on these facts:

See affidavit of Bryce Dahlin, U.S. Postal Inspector

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

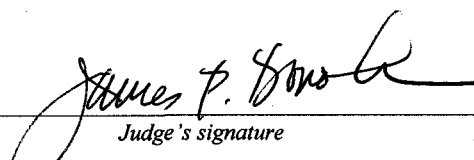
  
 Applicant's signature

 Bryce Dahlin, U.S. Postal Inspector  
 Printed name and title

Sworn to before me and signed in my presence.

Date:

JAN 13, 2014

City and state: Seattle, Washington
  
 Judge's signature

 James P. Donohue  
 Printed name and title  
 U.S. Magistrate Judge

**ATTACHMENT A**  
**Parcel to be searched**

One Priority class parcel addressed to "M. Petersen, 2905 Victor Ave, Bellingham, WA 98225" with a return address of "N. Howard, 210 Katherine Benson Rd., Sitka, AK 99835." This parcel is an Express Mail package with a weight of approximately one pound. This parcel is postmarked January 2, 2014, from zip code 99835, in Sitka, Alaska and carries \$34.55 in postage. The delivery confirmation number is EI 451940710 US.

ATTACHMENT A  
PARCEL TO BE SEARCHED

-1-

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

**ATTACHMENT B**

**Items to be seized**

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section(s) 841(a)(1) and 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the package.

1 STATE OF WASHINGTON )  
 2 ) ss  
 3 COUNTY OF KING )

4 **AFFIDAVIT**

5 DAHLIN, BRYCE, being first duly sworn on oath, deposes and says:

6 **BACKGROUND**

7 1. **Affiant Background.** I am a U.S. Postal Inspector with the United States  
 8 Postal Inspection Service (USPIS) and have been so employed since January, 2013. I am  
 9 currently assigned to the Seattle Division, Prohibited Mails Narcotic Team, where I  
 10 investigate controlled substances transported via the United States mails. I completed a  
 11 twelve week Basic Inspector Training course in Potomac, Maryland, which included  
 12 training regarding transportation of narcotics via the U.S. mails. I have also received  
 13 training on the identification and interdiction of controlled substances. Prior to becoming  
 14 a Postal Inspector, I served as an Officer in the United States Air Force for five years. I  
 15 have also served as a Military Police K-9 handler specializing in drug detection. I hold a  
 16 Bachelor of Science degree from the United States Air Force Academy in Business  
 17 Management

18 2. **Duties, Training & Experience.** As part of my duties, I investigate the  
 19 use of the U.S. mails to illegally mail and receive controlled substances, the proceeds of  
 20 drug trafficking, as well as other instrumentalities associated with drug trafficking, in  
 21 violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession  
 22 with intent to distribute controlled substances), and 843(b) (unlawful use of a  
 23 communication facility, including the U.S. mails, to facilitate the distribution of  
 24 controlled substances). As set forth below, my training and experience includes  
 25 identifying parcels with characteristics indicative of criminal activity. During the course  
 26 of my employment with the USPIS, I have participated in over one-hundred (100)  
 27 criminal investigations involving suspicious parcels and controlled substances.

28 3. The information contained in this affidavit is based upon knowledge I  
 gained from my investigation, my personal observations, my training and experience, and  
 AFFIDAVIT OF Bryce Dahlin- 1

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1 investigation by other Inspectors, agents, and officers. Because the purpose of this  
2 affidavit is limited to setting forth probable cause to search the subject parcel, I have not  
3 set forth every fact of which I am aware pertaining to the investigation.

4       4. From my training and experience, I am aware that the United States Postal  
5 Service (USPS) mail system is often used to transport controlled substances and/or the  
6 proceeds from the sales of controlled substances throughout the United States. I have  
7 learned and observed that sometimes drug traffickers put controlled substances and  
8 proceeds in the same package. I also know that drug traffickers prefer mail/delivery  
9 service such as Priority Mail because of the reliability of this service as well as the ability  
10 to track the article's progress to the intended delivery point. When a drug trafficker  
11 learns that a mailed article has not arrived as scheduled, he/she becomes suspicious of  
12 any delayed attempt to deliver the item.

13       5. In addition, I am aware that the USPS Priority Mail service was custom-  
14 designed to fit the needs of businesses by providing overnight delivery for time sensitive  
15 materials. Business mailings often contain typewritten labels, are in flat cardboard  
16 mailers, and usually weigh less than eight (8) ounces. In addition, businesses using  
17 corporate charge accounts often print their account number on the Priority Mail label in  
18 order to expedite transactions with USPS.

19       6. Based on my training and experience concerning the use of Priority Mail  
20 for the transportation of controlled substances and/or the proceeds from the sales of  
21 controlled substances, I am aware these packages usually contain some or all of the  
22 following characteristics (which are different than characteristics of packages being sent  
23 by legitimate businesses):

24           a. Unlike typical business mailings which usually have typed labels,  
25 packages containing controlled substances and/or proceeds often have handwritten  
26 address information. In addition, the address information often contains misspelled  
27 words or incomplete/incorrect addresses. This is done in an effort to help conceal the  
28 identities of the individuals involved.

          b. Priority Mail or Express Mail packages containing controlled  
substances and/or proceeds often stand out from typical business mailings as they do not

1 bear any advertising on the mailing container/box, and are usually being mailed from one  
2 individual to another.

3 c. The sender and/or recipient addresses on Priority Mail and Express  
4 packages containing controlled substances and/or proceeds often either are fictitious, are  
5 persons not known to postal personnel familiar with the addresses listed.

6 d. The zip codes for the sender addresses on Priority Mail packages  
7 containing controlled substances and/or proceeds is different from the zip codes of the  
8 post offices from where the parcels were mailed.

9 e. Priority Mail and Express packages containing controlled substances  
10 and/or proceeds are heavily taped with tape on the seams of the parcel, in an effort to  
11 conceal scent.

12 7. Inspectors who encounter a package with any or all of the above  
13 characteristics often further scrutinize the package through address verifications and by  
14 obtaining search warrants based on probable cause.

#### 14 **ITEM TO BE SEARCHED**

15 8. As set forth in Attachment A, this affidavit is made in support of an  
16 application for a search warrant for one insured letter parcel, hereinafter referred to as  
17 "SUBJECT PARCEL." This parcel is believed to contain controlled substances,  
18 paraphernalia or proceeds related to the distribution of controlled substances. The  
19 SUBJECT PARCEL is further described as follows: One Express Mail parcel addressed  
20 to "M. Petersen, 2905 Victor Ave, Bellingham, WA 98225." The return address listed is  
21 "N. Howard, 210 Katherine Benson Rd., Sitka, AK 99835." This parcel is a flat Express  
22 Mail envelope. This parcel is postmarked January 2, 2014, from zip code 99835, and  
23 carries \$34.55 in postage. The delivery confirmation number is EI 451940710 US.

#### 24 **ITEMS TO BE SEIZED**

25 9. The application requests that law enforcement officers and agents be  
26 authorized to seize the following from the SUBJECT PARCEL, which constitute the  
27 fruits, instrumentalities, and evidence of mailing and distribution of controlled substances  
28 in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and  
possession with intent to distribute controlled substances) and 843(b) (unlawful use of a

1 communication facility, including the U.S. mails, to facilitate the distribution of  
2 controlled substances):

3 a. Controlled substances, including, but not limited to, cocaine, crack  
4 cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone,  
5 and Oxycontin;

6 b. Monetary instruments, including but not limited to, currency, money  
7 orders, bank checks, or gift cards;

8 c. Controlled substance-related paraphernalia;

9 d. Documentary evidence relating to the purchase, sale, and/or  
10 distribution of controlled substances;

11 e. Notes, letters and other items which communicate information  
12 identifying the sender and/or recipient or pertaining to the contents of the mailing; and

13 f. Fingerprints and/or handwriting, to identify who handled and/or  
14 mailed the package.

### 15 THE INVESTIGATION

16 10. On October 24, 2013, in Seattle, Washington, U.S. Postal Inspectors were  
17 alerted by Police in Sitka, Alaska, of an inbound parcel sent from "Justin Langer 2901  
18 Victor St., Bellingham WA 98225" and addressed to "Rob Langer 409 Degroff St., Sitka  
19 AK 99835" suspected to contain controlled substances. A federal search warrant was  
20 obtained and executed on the parcel. The parcel contained 1.63oz of methamphetamine  
21 and 24.8g of black tar heroin. The drugs were seized. Both names on the parcel were  
22 confirmed by Postal Databases to be false names. An informant for the Sitka PD  
23 identified the sender as Max Petersen, who resides at 2905 Victor Street, Bellingham,  
24 Washington, 98225.

25 11. On December 11, 2013, Post Office employees identified a suspicious  
26 priority parcel 420998359505500024093344000735 sent from "Brantley Davis, 501  
27 Parkridge Rd., Bellingham WA 98225" addressed to "Richard Davis, PO Box 6076, Sitka  
28 AK 99835." On December 13, 2013, a federal search warrant was obtained and executed



1 finding 2.9g of brown heroin. Both names on parcel were confirmed by Postal Databases  
2 to be false.

3 12. The sender's image was obtained from the kiosk from which the parcel was  
4 mailed. The photo was identified and confirmed by Sitka Police as Max Petersen, 2905  
5 Victor St., Bellingham, Washington, 98225. The receiver was confirmed by the Postal  
6 Box records as Noriss Serge Howard. The drugs were seized and a Mail Watch was  
7 executed on both Max Petersen's and Noriss Howard's addresses.

8 13. On December 13, 2013, six express labels were found at the Sitka, Alaska  
9 post office showing additional parcels being sent between Max Petersen and N. Howard.  
10 The related parcels dates accepted for shipment were, 3 June 2013, 7 June 2013, 19  
11 September 2013, 30 September 2013, 10 October 2013 and 29 November 2013.

12 14. On January 6, 2014, Postal Inspectors were notified of a positive mail  
13 watch alert for Noriss Howard and Max Petersen. SUBJECT PARCEL Express Mail EI  
14 451940710 US sent from "N.Howard, 210 Katherine Benson Rd., Sitka, AK 99835" to  
15 receiver "M.Petersen, 2905 Victor Ave, Bellingham, WA 98225." Parcel was forwarded  
16 to Inspector Dahlin in Seattle, Washington, for follow up. SUBJECT PARCEL  
17 contained both suspect's names (Howard and Petersen) and waiver of signature was  
18 visible on parcel.

19 15. A dog sniff was conducted on SUBJECT PARCEL on January 9, 2014, by  
20 Seattle Police Department a K-9 Unit. The dog sniff resulted in no response.

21 16. The SUBJECT PARCEL was mailed from Alaska, a known drug receiving  
22 and trafficking area, to Bellingham, Washington, a drug source state.

23 17. The SUBJECT PARCEL contains characteristics of drug related parcels  
24 seized in the past based on the SUBJECT PARCEL'S size, weight and waiver of  
25 signature. The parcel was mailed in a standard Express envelope measuring 10in by  
26 12.5in and weighing one pound, similar in size and weight to several parcels containing  
27 drugs that have been seized between Alaska and Washington in fiscal year 2013.

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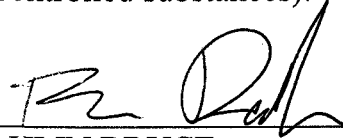
AFFIDAVIT OF Bryce Dahlin- 5

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7 **CONCLUSION**

8 18. Based on the facts set forth in this Affidavit, I believe there is probable  
9 cause to conclude that the SUBJECT PARCEL contains controlled substances, currency,  
10 documents, or other evidence, more fully identified in Attachment B, that relates to the  
11 mailing and distribution of controlled substances, in violation of Title 21, United States  
12 Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled  
13 substances) and 843(b) (unlawful use of a communication facility, including the U.S.  
14 mails, to facilitate the distribution of controlled substances).

15  
16   
17 **DAHLIN BRYCE**  
18 **Postal Inspector, US Postal Inspection Service**

19  
20 SUBSCRIBED AND SWORN to before me this 13<sup>th</sup> day of January, 2014.

21  
22   
23 **JAMES P. DONOHUE**  
24 **UNITED STATES MAGISTRATE JUDGE**